

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

M.J.H.,

Plaintiff,

v.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

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CIVIL ACTION NO.: 5:22-cv-00401 (MTT)

ORDER

Plaintiff M.J.H. moves for an award of attorney fees pursuant to the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412. Doc. 27. Plaintiff requests that attorney fees in the amount of \$6,273.17 and \$939.80 be paid to each of his attorneys respectively. *Id.* at 3. United States Magistrate Judge Charles H. Weigle recommends that the motion be granted in part and denied in part. Doc. 28. There are no objections. Accordingly, pursuant to 28 U.S.C. § 636(b)(1), the Court reviews the Recommendation for clear error. After review, the Court accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge. The Recommendation (Doc. 28) is **ADOPTED** and made the Order of the Court. M.J.H.’s motion for an award of attorney fees (Doc. 27) is **GRANTED** in part and **DENIED** in part. An order authorizing payment of attorney fees in the amount of \$ 7,212.97 is appropriate, but an order directing the government to accept plaintiff’s fee assignment is not. *See Astrue v. Ratliff*, 560 U.S. 586, 591-93 (2010). Accordingly, the motion is **GRANTED** to the extent it seeks payment of attorney fees in the amount of \$ 7,212.97. The motion is **DENIED** to the

extent it seeks payment to be remitted directly to counsel. Should the government accept plaintiff's fee assignment, the award should be divided as follows: \$6,273.17 to David B. Goetz and \$939.80 to Edward B. Claxton.

SO ORDERED, this 5th day of June, 2024.

s/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT